

Remarks

All the claims pending before the Board of Patent Appeals and Interferences have been canceled. New claims 43 to 62 have now been added. No new matter has been added.

In light of the Board's decision and reasoning, applicants now submit claims 43 to 62.

Independent claim 43 is directed to a vacuum packaging machine in which a permanently vertical stack of vacuum chambers only occupies the same floor space as a single vacuum chamber. The applicants submit that no new matter has been added; support for this feature of claim 43 can be found e.g. at page 1, line 30 to page 2, line 2; page 3, lines 29 to 30, and page 5, lines 16 to 18.

Independent claim 43 also includes the feature that the at least one in-feed conveyor, and the at least one out-feed conveyor, are vertically movable to select the vacuum chamber to be loaded and unloaded respectively. No new matter has been added; support for this feature of claim 43 can be found e.g. at e.g. page 3, lines 2 to 9.

Like claim 43, Independent claim 53 is directed to a vacuum packaging machine in which a permanently vertical stack of vacuum chambers only occupies the same floor space as a single vacuum chamber (see above remarks).

Independent claim 53 also includes the feature that the permanently vertical stack of vacuum chambers is movable together vertically between an upper position and a lower position. No new matter has been added; support for this feature of claim 43 can be found at e.g. page 3, lines 7 to 9; and page 6, lines 23 to 27.

The machine disclosed in the Furukawa (U.S. Patent No. 4,869,050) reference does not include a permanently vertical stack of vacuum chambers that only occupies the same floor space as a single vacuum chamber. Instead, it is configured as a rotating wheel that takes up a great deal of floor space: exactly the problem that the invention is intended to solve. The Applicants therefore respectfully submit that neither Furukawa alone, nor this reference in combination with Mugnai (US 4,471,599) or Bonnet (US 6,227,377), discloses the invention as now claimed.

Applicants respectfully ask for allowance of the claims now presented.

If any fees are deemed due, please charge same to Deposit Account No. 07-1765.

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6-8-05

DATE

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